

No. 20-55770

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**IN THE UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT**

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TIMOTHY ROBBINS, et al.,  
Respondents-Appellants,

v.

ALEJANDRO RODRIGUEZ, et al.,  
Petitioners-Appellees.

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On Appeal from the United States District Court, Central District of California  
No. CV 07-3239-TJH (RNB)

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**JOINT MOTION FOR 90 DAY EXTENSION TO FILE PETITION FOR  
PANEL REHEARING OR REHEARING EN BANC**

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The parties respectfully request that this Court extend the deadline to file the Petition for Panel Rehearing or Rehearing En Banc (PFR/EB) by 90 days to afford the parties time to explore settlement negotiations. The Court granted the parties' four prior requests for an extension of the PFR/EB deadline.

The Memorandum in this Case was issued on October 19, 2021 (ECF 30). At the parties' request, this Court has granted four extensions of the deadline to file a PFR/EB (ECF 32, 35, 37, 39). The current due date for the PFR/EB is November 28, 2022. The parties respectfully request that the due date be extended by 90 days to February 26, 2023.

Good cause exists for this request. As previously disclosed to this Court, the parties agreed to mediate this matter under the supervision of a federal magistrate judge. The first formal mediation session was scheduled for April 26, 2022. However, due to illness, the magistrate judge was forced to reschedule the conference. The rescheduled mediation took place on June 21, 2022. Since that time, the parties have continued to meet and confer by phone and written correspondence, including by exchanging settlement proposals. The parties are scheduled for their next mediation with the magistrate on December 20, 2022.

Given the important interests at stake and the complexity of the issues for consideration, the parties require additional time to determine whether a settlement can be reached. A potential settlement may resolve all, or parts, of Petitioners'

claims, including to the relief at issue in this appeal. As such, the parties agree that judicial economy would be best served by continuing to engage in settlement negotiations.

For the foregoing reasons, the parties respectfully request that the deadline to file the Petition for Panel Rehearing or Rehearing En Banc be extended by 90 days. The parties will notify the Court if any additional extensions are warranted because settlement discussions are ongoing.

Respectfully submitted,

Dated: November 22, 2022

s/ Sean A. Commons  
SEAN A. COMMONS  
Counsel for Petitioners-Appellees

Dated: November 22, 2022

s/ Sarah Wilson (with permission)  
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